

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 13-20392

v.

Honorable Nancy G. Edmunds

ABBEY A. AKINWUMI,

Defendant.

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**ORDER DENYING DEFENDANT'S MOTION FOR
EARLY TERMINATION OF SUPERVISED RELEASE [68]**

On November 5, 2015, Defendant Abbey A. Akinwumi pled guilty to one count of conspiracy to possess with intent to distribute and to distribute controlled substances in violation of 21 U.S.C. §§ 841(a)(1), 846 (Count 1) and one count of health care fraud in violation of 18 U.S.C. § 1347 (Count 15). On February 29, 2016, Defendant was sentenced to 84 months of imprisonment as to Counts 1 and 15, to be served concurrently, followed by a term of 3 years of supervised release. (ECF No. 63.) Defendant began his term of supervised release on May 3, 2021. He now moves for early termination of supervised release, citing his remorse and low risk of recidivism. (ECF No. 68.) Defendant states this would give him the opportunity to secure employment so that he can take care of his family.

Under 18 U.S.C. § 3583(e)(1), the Court may terminate a term of supervised release at any time after the expiration of one year of supervised release if the Court “is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” Additional factors the Court considers are the sentencing factors in 18 U.S.C. § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7). See

§ 3583(e). “[G]enerally, early termination of supervised release under § 3583(e)(1) will be proper only when the sentencing judge is satisfied that new or unforeseen circumstances warrant it.” *United States v. Melvin*, 978 F.3d 49, 53 (3d Cir. 2020) (internal quotation marks, citation, and italics omitted).

Here, Defendant has served less than half of the term of supervised release the Court imposed. And there are no new or unforeseen circumstances that would warrant early termination of that term. While the Court commends Defendant on his compliance with the conditions of supervised release, this is not sufficient for early termination of Defendant’s supervised release under the circumstances. Accordingly, Defendant’s motion is DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 27, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 27, 2022, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager